

CHECKING UP  
SCHOOL LAND  
RECORDSWANTS TO LEARN HOW  
RAILROADS GOT  
RIGHT OF WAYCURIOUS ABOUT HOW  
TITLE WAS OBTAINEDIf Possible, State Will Force  
Railroads to Pay for Land  
Thus Occupied

El Reno, Okla., July 29.—S. F. Price and A. C. Fleming, of the state school land department, have been busily engaged recently checking the records of the land offices in this city and Lawton to ascertain the amount of school lands that are being used by the various railroads of the state for right of way, sidings and other purposes and to find out in what manner they obtained title to the land thus occupied.

In some cases it has been found that the railroads have built across the school lands without obtaining any authority whatsoever, while in other instances the right of way was granted by Secretary Hitchcock for a merely nominal figure.

It is the contention of the school land department that the secretary of the interior had no power to transmit the title of any of the territory's school lands in any way and the only manner in which a railway could gain a right of way across any of the school lands would be by an act of congress. It is for this reason that information is being gathered along these lines and the various railway companies of the state will be called upon to reimburse the state for the lands set aside for school purposes which they traverse.

To those familiar with railroad building, it is a well known fact that wherever possible it has been the custom of railroads to make all curves and lay as much siding as possible on the school sections where the right of way could be obtained the cheapest.

For this reason it will be found there is a great amount of right of way on the school lands, and in many cases sidetracks have been laid, for which absolutely nothing was paid for the right of way.

The school land department will make a determined fight on this proposition, and if possible will force the companies to pay the state for the land thus used.

Plane State Why.  
According to a prominent colored citizen of the city some rather energetic republican partisans are asking that money pledged for the negro library be withheld for the time being.

Why?  
In matters of public importance it is customary to act in the open and delays are always out of order unless sufficient reason is given for same.

Is it possible the proverbial "Gonk" gambler is behind the woodshed, ready to stub the toe of negroes in Guthrie because of politics?

This is the age of the square deal, and it goes in Guthrie, too.

Special United States Attorney Mark Goode is here from Norman.

Washington, July 29.—Lawyers are figuring that President Roosevelt, in approving the finding and recommendations in the case of the eight West Point cadets, has laid the foundation for a case unlike the Brownsville affair. His best friends say that in the affair of the colored soldiers he was precipitate in that he disregarded regulations prescribed for the safeguarding of the interests of enlisted men. They contend that he could have achieved the same results without the slightest ground for criticism had he been patient enough to follow the regular order.

The same contention is made by some in respect to the cadets. His precipitancy, it is pointed out, will give friends of the cadets grounds for saying that they were not given a square deal, especially in view of the reported intention of Secretary Wright to take the view that hitting the right did not constitute the serious offense contemplated by the statute and for which summary dismissal is provided.

Under the statute authorizing the making of regulations for the government of the academy at West

## USED BASEBALL BAT ON VICTIM

George and Charley Ware, brothers, living at Meridian, were placed in the county jail by Sheriff Mahoney this morning on the charge of assaulting Chester Irwin with a dangerous weapon with intent to do bodily harm. The Ware boys, it is alleged, beat young Irwin over the head with a baseball bat on the Fourth of July in a row after a baseball game. They had eluded the officers until today.

## FINISH TEXT BOOK HEARINGS

The text book commission has evening finished the public hearings on all of the thirty-eight subjects to be passed upon by the board. The board is in executive session today to decide upon the adoption of text books for the different subjects. It will be several days before their decision will be announced.

## ARE DECLARED COUNTY SEATS

Three proclamations have been issued by Governor Haskell regarding county seat elections held recently in three counties of the state. One declares Stigler to be the lawful chosen county seat of Haskell county, Madill is similarly mentioned for Marshall county and Altus for Jackson county.

TAFT GROWS  
SARCASTIC

Special to Daily Leader.  
Cincinnati, O., July 29.—Candidate William H. Taft, commenting today on the selection of Governor C. N. Haskell, of Oklahoma, as treasurer of the democratic national committee, said:

"I see that Mr. Bryan says the appointment is appropriate because Governor Haskell comes from the only state in which bank deposits are absolutely secure. But I haven't heard that Oklahoma has a law requiring publicity of contributions."

Republicans here are commenting on the fact that there are alleged states requiring publicity of campaign contributions by statute, but that Mr. Bryan did not select a treasurer from any of them. They point out that the public has only the democratic committee's word that all contributions will be published, while the republican candidates and committee have proved their good faith by taking a treasurer in a state where the law requires publicity.

## MOYER RE-ELECTED.

(By Associated Press.)  
Denver, Colo., July 29.—Charles Moyer was re-elected president of the Western Federation of Miners by the convention in this city today.

WILL RE-TRY  
STANDARD OIL

(By Associated Press.)  
Lexington, Mass., July 29.—Prominent prosecuting officers of the government, with the assistance of several leaders in the practice of law, including Frank B. Kellogg, took up the consideration today of the question whether the criminal suit against the Standard Oil company for alleged rebating and other violations of the interstate commerce law shall be further pressed in the courts.

The conference unanimously decided to take steps immediately for a trial of the criminal suits against the Standard Oil Co.

DISMISSALS  
PUZZLE  
LAWYERS

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Point, there is one section No. 13a, prescribing how punishments shall be carried out. "Dark" imprisonment may be inflicted with only the approval of the President. Certain other punishments may be inflicted by the superintendent, and still others by order of the secretary of war. Suspension, dismissal with the option of resigning and dismissal for having been in the list of punishments to be inflicted by order of the secretary of war.

The question has arisen as to what course Secretary Wright can pursue, now that the President has approved the finding and sentence. The impression is that he can do nothing less than go through the form of also approving. It is suggested that if his pride will not permit him to do a perfunctory and perfectly useless act he should himself perform it.

Oliver is the one who made the President's precipitate action possible. Instead of holding the report until Secretary Wright's return and giving him the privilege of passing on it, the assistant bundled it off to Oyster Bay.

ANOTHER  
TURN IN  
OIL SUITSUPREME COURT ISSUES  
TEMPORARY WRIT OF  
PROHIBITIONPUTS CHECK ON DISTRICT  
COURT PROCEEDINGSDistrict Judge Huston Overrules  
Motion for Dismissal  
of Suit

The supreme court this morning at 11 o'clock granted the alternative writ of prohibition asked for by Governor Haskell in the injunction suit instituted by Attorney General Charles West in the district court to prevent the Prairie Oil and Gas Company from laying pipe lines within the state, pending the hearing on the motion filed by Governor Haskell in the case asking for the dismissal of the suit on the ground that the facts did not warrant the filing of the suit and that the attorney general was not directed to do so, raising the point as to whether the attorney general had the power to institute suits in the name of the state.

The writ is returnable to the supreme court August 10th. All of the Justices were sitting, save Chief Justice R. L. Williams, who is out of the city. The writ stops all further proceedings in the case, and no action can be taken by either the oil company or the attorney general until the supreme court passes upon the matter.

District Judge Huston at the concluding of court this morning in a lengthy opinion overruled the governor's motion to dismiss the case, and was hearing the case on its merits for the permanent injunction asked for when checked by the writ of prohibition from the higher tribunal.

In passing on the question Judge Huston says in part: "The question is not whether the reasons assigned by the governor are sufficient to warrant the discontinuance of this case, but whether the governor has the power to dismiss for any reason against the will and protest of the attorney general who instituted the case. The power of the governor may be advisory or suggestive of duty, in this case, as in many of his positions. The governor has the power to suggest filing of a suit, not to prevent the same from being filed."

In another part of the opinion Judge Huston says: "The governor may direct the filing of a suit in the interest of the people in behalf of the state and it is the attorney general's duty to obey, but it does not follow that because the governor has the right to direct the attorney general to bring an action, that he can prevent the carrying on of a suit by the attorney general." The final holding of the court is as follows: "With all due respect to the governor and his high office, I am impelled to hold that the independence of the law officers of this state is such that their action is not subject to such direct control by the governor as would empower him to compel a discontinuance of this suit. The motion is overruled."

When Judge Huston announced his decision this morning Attorney General West proceeded to argue the case on its merits, and at the beginning of his lengthy argument presented a new issue in the pleadings, claiming that under the answer filed by the defendants, the Prairie Oil and Gas company, to his petition and their admitting by stipulation that the conditions were as represented by the governor's motion, that he should be allowed to insert in his pleading a demand for additional relief than was prayed for in the original petition, compelling an order from the court to compel the pipe line company to comply with their agreements with the oil producers in the field where they have a monopoly, which is that they will within sixty days take the entire output of the field. The attorney general in this connection maintained that he was not trying to prevent the oil producers from marketing their product, but was simply trying to enforce the laws of the state and at the same time protect the interests of the oil producers. He asserted that under the contract with the secretary of the interior the pipe line company was given permission to build lines in certain places and that they had agreed to take care of the oil produced and that they should be compelled to enlarge their present mains and extend them to Snow Creek district, which would be a legal route. The difference, in distance from Caney Kas, from where this pipe line is to be built by way of their old route which is prohibited by law, is three

miles, according to Mr. West. He maintains that the pipe line company were permitted to enter this state by the government as a common carrier and asserts that they are and have been for over forty years common purchasers, therefore, should be made to comply with their charter as a common carrier, pipe all the oil out of the fields in which they have a monopoly and be compelled to pay the customary price for the oil.

Tom Gunn was caught in the act of leaving his home on West Perkins avenue between Seventh and Eighth streets this morning by Sheriff Mahoney with a grip containing twelve bottles of beer.

"He was starting out to do a good business this hot day," said Mahoney, "but I had to stop him."

His place was raided by the sheriff's force and a half barrel of beer was found together with a dozen bottles of whiskey. Gunn was arraigned before County Judge Straig this afternoon and entered a plea of guilty. He was given sixty days in the county jail and fined \$100.

KANSAS MAN  
PRECIPITATED  
ROUGH HOUSESOUGHT TO NOMINATE  
BRYAN IN HEARST'S  
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NAMES NATIONAL TICKETThos. L. Higgen Nominated for  
President, John Temple Graves  
for Second Place

(By Associated Press.)  
Chicago, July 29.—President Thos. L. Higgen, of Massachusetts,  
Vice President—John Temple Graves, of Georgia.

The above ticket was last night named by the independence party at its first national convention. The friends of Mr. Bryan made an effort during the night to bring his name before the convention and the man who attempted it nearly produced a riot and narrowly escaped physical violence at the hands of indignant delegates. The man who sought to place Mr. Bryan in nomination was J. L. Shearer, of Fort Scott, Kansas.

Proceeded to Nominate.  
"Gentlemen of the convention," said Chairman Walsh on calling the night session of the convention to order, "the next thing on the program is the presentation of candidates for the nomination for president of the United States. The secretary will call the roll."

The roll proceeded until California was reached and the announcement was made that the state yielded to Illinois.

"Has Alabama been called?" demanded a delegate from that state.

"It has," replied Secretary Deford.

"Alabama has a candidate?" declared the delegate, Dr. L. A. Pease, of that state, took the rostrum to place in nomination Milford W. Howard of Fort Payne, Ala. The resumption of the call of the roll of states brought no response from Arkansas, but California yielded to Massachusetts and Reverend Roland R. Sawyer of the latter state took the platform to nominate Thomas L. Higgen.

The conclusion of Mr. Sawyer's speech was the signal for a yell in which California and South Dakota joined.

A big banner bearing Higgen's portrait brought to the platform, where it was joined by the California state flag.

After two minutes Chairman Walsh began rapping for order. The Minnesota state motto was put in the procession, then Illinois, Washington and Nebraska. Three minutes later the demonstration had subsided.

The roll proceeded until Georgia was reached and Edward Butler of Atlanta came forward to present the name of John Temple Graves.

Mr. Butler made an emphatic hit with the convention in his first sentence by announcing that "no man has a right to insult himself upon an audience unless he has something to say."

The applause that greeted the name of Mr. Graves was neither so vociferous nor so long continued as that which followed the presentation of the name of Higgen.

Shepherd of Kansas.

The roll call then progressed until Kansas was reached. J. L. Shepard of that state asked the chairman if it was possible to vote for any candidate for the nomination who was not a member of the party. The reply was that the question had not yet arisen, whereupon Mr. Shepard took the platform, announcing that he had a candidate. He mentioned the "candidate of the democratic party" and a storm of hisses greeted the reference. The roll continued in an uproar for several minutes, the galleries persisting in breaking into the proceedings with jeers and irrelevant remarks. Mr. Shepard was finally allowed to proceed. He had spoken but a few minutes when the delegates broke in on him. Charles Mitchell of Illinois offered a point of order, saying that it was evident that the speaker was about to place in nomination a man who was not a member of the independence party. He therefore, asked that the convention proceed to name a candidate of its own.

Didn't Want Bryan.

The hall broke into a wild uproar. A dozen delegates madly struggling at the sides in an attempt to reach Mr. Leonard, Caney and these were shaken at him furiously while howls of exultation went up from all sides of the hall.

Quiet was not secured for a long time, but when it finally arrived, Chairman Walsh ruled that inasmuch as Mr. Shepard had attempted to nominate a man who was not a mem-

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(Continued on Page 5.)

July 29.—Mobs made a demonstration before the residence of the Venezuelan consul here and surrounded the German consulate, where the Venezuelan consul had taken refuge. Later the consul was escorted to his office consulate by armed troops, and removed the official papers. Troops are now patrolling the streets and guarding his residence and the consulate.

The demonstrations before the residence of the Venezuelan consul, Senor Lopez, occurred late last night, and although no actual attack was made, it is stated that two shots were fired from the consul's house, no one, however, being injured.

Prior to this, about 10 o'clock at night, a mob numbering about one thousand gathered in front of the dwelling of a Venezuelan resident, who, it is alleged, had insulted Caracra in the Venezuelan papers, broke down the doors with stones and seized the man, compelling him to sign a paper which set forth an elaborate excuse for the publication of the statements with which he was charged. The leaders of the populace also forced him to make a public apology from the balcony of his home, while the crowd below booed and groaned. Members of the man's family were compelled to play the Dutch national hymn, while the people below shouted "Down with Castro, long may Wilhelmus live."

The police were entirely unable to cope with the demonstrators. No bodily harm was done to any one, but the shouting and cheering continued for a time and then a procession was formed and a march made upon the consul's house.

They was a gathering again of the mob in the morning, and when it was learned that the Venezuelan consul had proceeded to the German consulate this building was surrounded by an ever increasing mob. The attorney general made a determined effort to quiet the populace, which was becoming more and more excited. A small military force attempted to check the demonstration, but for a time that was impossible.

It became necessary eventually to call out additional troops to restore order.

Revival Services Close.  
Dr. J. A. Pugh preached a very powerful sermon at the open air revival service of the Second Baptist church last night. "Fruitless" in Heaven, was the theme. Rev. Mr. Cameron's official duties being such as to prevent his preaching every night, as was expected, the meeting was discontinued for the present.

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